

# Wetlands Bureau Decision Report

Decisions Taken  
08/02/2004 to 08/06/2004

## **DISCLAIMER:**

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

## **APPEAL:**

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 20 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Brian Fowler, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

## MAJOR IMPACT PROJECT

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**2003-02309**

**NOWAK, ROBERT/ROBIN**

**GOFFSTOWN Unnamed Wetland**

### Requested Action:

Approve name change to: Longbrook, LLC, 317 South River Rd., Bedford, NH 03110 per request received 8/6/04.

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### Conservation Commission/Staff Comments:

Conservation Commission requested a 40-day intervention on October 16, 2003.

No follow up comments submitted by the Conservation Commission in response to the requested hold.

Inspection Date: 12/03/2003 by Jeffrey D Blecharczyk

### APPROVE NAME CHANGE:

Dredge and fill 20,900 square feet of palustrine forested wetlands and a seasonal stream to provide access to a 19-Lot subdivision known as Oak Hill Estates. Preserve 50.77 acres of open space, consisting of approximately 8.21 acres of jurisdictional wetlands and 42.56 acres of contiguous upland buffer.

### With Conditions:

1. All work shall be in accordance with plans by Keach-Nordstrom revision date January 16, 2004, as received by the Department on January 20, 2004.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
6. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #5 of this approval.
7. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
8. Work shall be done during low flow or non flow conditions.
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Culvert outlets shall be properly rip rapped.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

### Wetland preservation:

14. This permit is contingent upon the execution of a conservation easement on 50.77 acres as depicted on plans received January 20, 2004.
15. The conservation easements to be placed on the preservation areas shall be written to run with the land, and both existing and future property owners shall be subject to this easement.
16. The plan noting the conservation easement with a copy of the final easement language shall be recorded with the Registry of

Deeds Office for each appropriate lot. A copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to the start of construction.

17. The applicant shall prepare a report summarizing existing conditions within the conservation area. Said report shall contain photographic documentation of the easement area, and shall be submitted to the DES and the grantee prior to construction to serve as a baseline for future monitoring of the easement area.

18. The conservation easement area shall be surveyed by a licensed surveyor, and marked by monuments [stakes] prior to construction.

19. The Wetlands Bureau shall be notified of the placement of the easement monuments to coordinate on-site review of their location prior to construction.

20. There shall be no removal of the existing vegetative undergrowth within the easement area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.

21. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Wt 502.03(b).

**2003-02677 PDNED BEDFORD, LLC, C/O PACKARD DEVELOPMENT  
BEDFORD Merrimack River**

Requested Action:

Request for reconsideration of the Department's approval decision dated April 22, 2004 to: dredge and fill a total of 88,005 sq. ft. (2.02 acres) of palustrine forested/scrub-shrub/emergent/wet meadow wetlands for work associated with the development of a retail shopping center consisting of four buildings totaling 302,000 sq. ft. of floor space, an auxiliary fire station for the Town of Bedford and appurtenant parking, stormwater management/drainage structures and landscaping on a 30.54 acre parcel of land.

Compensatory mitigation for wetlands impacts will be provided as a 22 acre conservation easement to be held by the Bedford Land Trust.

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Conservation Commission/Staff Comments:

"At the [Bedford] Conservation Commission meeting on January 2, 2004, the Commission voted to support the application ..."

DENY RECONSIDERATION:

Reaffirm approval of standard dredge and fill application to dredge and fill a total of 88,005 sq. ft. (2.02 acres) of palustrine forested/scrub-shrub/emergent/wet meadow wetlands for work associated with the development of a retail shopping center consisting of four buildings totaling 302,000 sq. ft. of floor space, an auxiliary fire station for the Town of Bedford and appurtenant parking, stormwater management/drainage structures and landscaping on a 30.54 acre parcel of land.

Compensatory mitigation for wetlands impacts will be provided as a 22 acre conservation easement to be held by the Bedford Land Trust.

With Findings:

Standards for Approval:

1. In accordance with RSA 482-A:10.II, "a request for reconsideration shall be filed with the department within 20 days of issuance of the department's decision or order."
2. By statute, the Department has no discretion to waive or extend this deadline.

Findings of Fact:

3. The Department issued its decision on the applicant's request to dredge and fill a total of 88,005 square feet of wetlands for work associated with the development of a retail shopping center, an auxiliary fire station for the Town of Bedford and appurtenant parking, stormwater management/drainage structures and landscaping on a 30.54 acre parcel of land, by way of a letter dated April 22, 2004.

4. The deadline to make a request for reconsideration of the Department's decision was May 12, 2004.
5. The Motion for Reconsideration, dated July 16, 2004 was received by the Department on July 19, 2004, 88 days after the issuance of the Department's decision.

Ruling in Support of the Department's Decision:

6. The Department did not receive a timely request for reconsideration, therefore the decision stands as issued.

**2004-00052                      DORN, JOHN**  
**TUFTONBORO   Lake Winnepesaukee**

Requested Action:

Fill 820 sq ft to construct 60 linear ft of breakwater, in an slight "L" configuration, with a 8 ft gap at the shoreline, and a 4 ft x 40 ft cantilevered pier accessed by a 4 ft x 26 ft walkway on an average of 75 ft of frontage on Tuftonboro Neck, Lake Winnepesaukee.

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Conservation Commission/Staff Comments:

Con. Com. had concerns about entire project. Plus, applicant does not have enough frontage for breakwater requirement.

DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:

Fill 820 sq ft to construct 60 linear ft of breakwater, in an slight "L" configuration, with a 8 ft gap at the shoreline, and a 4 ft x 40 ft cantilevered pier accessed by a 4 ft x 26 ft walkway on an average of 75 ft of frontage on Tuftonboro Neck, Lake Winnepesaukee.

With Findings:

1. A request for additional information dated February 20, 2004, addressed to the applicant or agent of record, clearly identified recent changes to RSA 482-A:3 requiring the applicant to submit additional information to DES within 120 days of the request.
2. Pursuant to RSA 482-A, XIV(b), if the requested infromation is not received by DES within 120 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 120 days and therefore the application has been denied.

**2004-00090                      PARKER, RICHARD**  
**SEABROOK   Unnamed Wetland**

Requested Action:

Dredge and fill a total of 60,050 sq. ft. of palustrine forested wetlands for commercial lot development associated with the construction of a Lowe's Home Improvement Warehouse and commercial complex with appurtenant access, parking and drainage structures on a 17.45 acre parcel of land.

Compensatory mitigation will be provided as a monetary donation in the amount of \$152,000.00 to the Town of Seabrook for the implementation of the dredging/restoration of Cain's Pond and the creation of a 45,644 sq. ft. wet pond in the Mary's Brook watershed as part of a town wide watershed restoration effort.

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Conservation Commission/Staff Comments:

The Seabrook Conservation Commission voted unanimous support for this project.

The permittee will provide a monetary donation in the amount of \$152,000.00 to implement the restoration/dredging of Cain's Pond as part of a town wide watershed restoration effort.

Inspection Date: 05/12/2004 by Frank D Richardson

APPROVE PERMIT:

Dredge and fill a total of 60,050 sq. ft. of palustrine forested wetlands for commercial lot development associated with the construction of a Lowe's Home Improvement Warehouse and commercial complex with appurtenant access, parking and drainage structures on a 17.45 acre parcel of land.

Compensatory mitigation will be provided as a monetary donation in the amount of \$152,000.00 to the Town of Seabrook for the implementation of the dredging/restoration of Cain's Pond and the creation of a 45,644 sq. ft. wet pond in the Mary's Brook watershed as part of a town wide watershed restoration effort.

With Conditions:

1. All work shall be in accordance with plans by Jones & Beach Engineers, Inc. last revision date 12/31/03 , as received by the Department on January 16, 2004.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. This permit is contingent on approval by the DES Site Specific Program.
4. The permittee shall coordinate with the NH Division of Historic Resources to assess and mitigate the project's effect on historic resources.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
9. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
10. NH DES Coastal staff shall be notified in writing prior to commencement of work and upon its completion.

COMPENSATORY WETLANDS MITIGATION:

1. This permit is contingent upon the compensatory mitigation which will be provided as a monetary donation by the permittee in the amount of \$152,000.00 to the Town of Seabrook for the implementation of the dredging/restoration of Cain's Pond and the creation of a 45,644 sq. ft. wet pond in the Mary's Brook watershed as part of a town wide watershed restoration effort.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(c), to dredge and fill a total of 60,050 sq. ft. of palustrine forested wetlands for commercial lot development associated with the construction of a Lowe's Home Improvement Warehouse and commercial complex with appurtenant access, parking and drainage structures on a 17.45 acre parcel of land.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on May 12, 2004
6. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this palustrine wetland ecosystem and the mitigation provided is adequate to compensate for losses to wetland functions and values.

**2004-00214                      TILTON REVOC TRUST, SUMNER**  
**CONCORD   Unnamed Wetland**

Requested Action:

Dredge and fill 3820 square feet of man made intermittent stream/drainage ditch for the commercial development of 9.2 acres.

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Conservation Commission/Staff Comments:

The conservation commission does not object to the application.

APPROVE PERMIT:

Dredge and fill 3820 square feet of man made intermittent stream/drainage ditch for the commercial development of 9.2 acres.

With Conditions:

1. All work shall be in accordance with plans by LC Engineering dated January 23, 2004 and revised through June 11, 2004, as received by the Department on July 6, 2004.
2. This permit is contingent on approval by the DES Site Specific Program.
3. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
4. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Water Division permitting staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
5. Work shall be done during periods of non-flow.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
11. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
12. Silt fencing must be removed once the area is stabilized.
13. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

Mitigation Conditions:

14. This permit is contingent upon the enhancement of 1,500 square feet of wetlands in accordance with plans received June 2, 2004.
15. Wetland (creation/restoration) areas shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create functioning wetland areas similar to those of the wetlands destroyed by the project. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the wetland surface, and changing the hydrologic regime.
16. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the mitigation areas are constructed in accordance with the mitigation plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.
17. The permittee shall notify DES and the local conservation commission in writing of their intention to commence construction no less than 5 business days prior to construction.
18. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the mitigation area and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the completion of each mitigation site.
19. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the mitigation areas during construction and during the early stages of vegetative establishment.
20. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(i), projects that alter the course of or disturb 200 or more linear feet of an intermittent or perennial nontidal stream or river channel or its banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on April 14, 2004. Field inspection determined the existing stream appears to have been man made as an old agricultural ditch which now conducts stormwater through the site. The area does not provide treatment for the stormwater as it moves through the site too quickly and there is a scoured channel without vegetation. The wetland at Old Loudon Road does appear to be trapping sediments and nutrients and the applicant has avoided this wetland area.
6. The applicant proposes to improve the functions of the remaining wetland on the site with additional hydrophytic vegetation.
7. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this wetland ecosystem.

**2004-00787                      LONDONDERRY, TOWN OF**  
**LONDONDERRY   Watts Brook**

Requested Action:

Impact a total of 14,700 sq. ft. (average of 210 linear feet of bank, and 110 linear feet in stream) including 4,740 sq. ft. of temporary impact for work access, sandbags, and a 36" x 130' diversion pipe on top of existing grade for stream diversion; and 9,960 sq. ft. of permanent impact of Watts Brook and its banks to install rip rap embankment stabilization associated with shoulder creation and guard rail installation on Litchfield Rd.

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Conservation Commission/Staff Comments:

Con. Com. recommends approval.

Inspection Date: 05/19/2004 by Dori A Wiggin

Inspection Date: 07/02/2004 by Dori A Wiggin

APPROVE PERMIT:

Impact a total of 14,700 sq. ft. (average of 210 linear feet of bank, and 110 linear feet in stream) including 4,740 sq. ft. of temporary impact for work access, sandbags, and a 36" x 130' diversion pipe on top of existing grade for stream diversion; and 9,960 sq. ft. of permanent impact of Watts Brook and its banks to install rip rap embankment stabilization associated with shoulder creation and guard rail installation on Litchfield Rd.

With Conditions:

1. All work shall be in accordance with plans by Vollmer Associates LLP dated 7/9/04 , as received by the Department on 7/12/04, and per plan sheet Drawing 1 with revised wetlands square footage amount by Vollmer Associates dated 8/4/04 as received by the Department on 8/4/04.
2. Temporary sand bags and diversion pipe shall be entirely removed immediately following construction.
3. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
5. Work shall be done during low flow.
6. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
7. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
8. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
9. The bank shall be checked for snakes,turtles and the New England cottontail prior to the commencement of work, and any

species found are to be relocated out of the project area into suitable habitat.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(i), alteration of 200 or more linear feet of a perennial non-tidal stream or its banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on 5/19/04 and on 7/2/04. Field inspection determined that the stream bank is eroded; that the edge of the road is at the top of the eroded slope with no shoulder or protection for vehicles; that there is no room to expand the roadway on the opposite side of the road, therefore requiring the shoulder and guard rail and associated rip rap to be placed on the stream side for vehicle protection. Field inspection further determined that relocating the stream away from the toe of the bank would involve greater impact to the wetland upland complex than the installation of rip rap.
6. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this wetland ecosystem.
7. The response of the NH Fish and Game Department with respect to the listed species of concern, the New England cottontail, and the eastern hognose snake indicated that the limited area of the project should not affect these species. A condition has been included to provide consideration of these species.
8. The total permanent impact for the project is 9,960 sq. ft. for rip rap bank stabilization to protect existing infrastructure (a heavily travelled town road), therefore this project is not required to submit compensatory mitigation per Wt 302.03(c)(2)c.

**2004-00788                      FERNHILL COMMUNITY ASSOCIATION**  
**ALTON   Half Moon Lake**

Requested Action:

Replenish 2,772 sq ft of an existing 8,593 sq ft beach on an average of 337 ft of frontage on Half Moon Lake, Alton.

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Conservation Commission/Staff Comments:

Con. Com. had no objection to project.

APPROVE PERMIT:

Replenish 2,772 sq ft of an existing 8,593 sq ft beach on an average of 337 ft of frontage on Half Moon Lake, Alton.

With Conditions:

1. All work shall be in accordance with plans by Robert Peznola dated July 19, 2004, as received by the Department on July 30, 2004.
2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
3. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
4. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
5. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
6. No more than 10 cu yds of sand may be used and all sand shall be located above the normal high water line.
7. This permit shall be used only once, and does not allow for annual beach replenishment.
8. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
9. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).



With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(o), replenishment of a beach that does not meet the criteria for any minimum impact under Wt 303.04(d) or Wt 303.04(aa), or minor impact under Wt 303.03(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on June 25, 2004. Field inspection determined the project to be approvable.
6. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this lacustrine system.

**2004-00970                      ALEXANDRIA, TOWN OF**  
**ALEXANDRIA   Smith River**

Requested Action:

Dredge and fill a total of 6140 square feet along 470 linear feet for the replacement of a red listed bridge over the Smith River further described as follows: Permanently impact 4060 square feet of bank for placement of rip rap for stabilization of the bank and protection of new bridge abutments, extend the existing culvert in the man made drainage ditch and install a new culvert in the man made drainage ditch for access to the existing river frontage on lot 177 and temporarily impact 2080 square feet of perennial stream for the installation of sediment barriers.

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Conservation Commission/Staff Comments:

The Alexandria Conservation Commission did not comment on this application.

Inspection Date: 06/16/2004 by Jocelyn S Degler

APPROVE PERMIT:

Dredge and fill a total of 6140 square feet along 470 linear feet for the replacement of a red listed bridge over the Smith River further described as follows: Permanently impact 4060 square feet of bank for placement of rip rap for stabilization of the bank and protection of new bridge abutments, extend the existing culvert in the man made drainage ditch and install a new culvert in the man made drainage ditch for access to the existing river frontage on lot 177 and temporarily impact 2080 square feet of perennial stream for the installation of sediment barriers.

With Conditions:

1. All work shall be in accordance with plan figures 1-3 inclusive by HEB Engineers dated April 5, 2004, and received by the Department on May 17, 2004, and sheets 2 and 14 of 22 by HEB Engineers dated June 1, 2004, as received by the Department on July 29, 2004.
2. The Town shall obtain easements from affected landowners outside of the existing road right-of-way and shall supply copies of the recorded easements to DES Wetlands File No. 2004-00970 prior to construction.
3. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
4. The applicant shall notify DES and the local conservation commission in writing of their intention to commence construction no less than 5 business days prior to construction.
5. Work shall be done during annual low flow conditions and during the months of May through September. No in-stream work shall occur after October 1 unless a waiver of this condition is issued by the DES Wetlands Bureau in consultation with the NH Department of Fish and Game.
6. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during access road construction.

7. Appropriate erosion and siltation controls shall be installed prior to construction, maintained during construction, and remain until the area is stabilized. Silt fencing must be removed once the area is stabilized.
8. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
9. Prior to commencing work on a substructure located within surface waters, temporary water diversion measures shall be constructed to isolate the substructure work area from the surface waters.
10. Temporary water diversion measures shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a temporary water diversion measure is fully effective, confined work can proceed without restriction.
11. All in-stream work shall be conducted in a manner that minimizes the duration of construction in the watercourse. In-stream work shall not exceed five consecutive days in total unless specifically authorized in writing by the Wetlands Bureau.
12. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
13. The applicant shall notify DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
14. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
15. There shall be no excavation or operation of construction equipment in flowing water unless specifically authorized pursuant to Condition #3.
16. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired prior to entering jurisdictional areas.
17. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
18. All refueling of equipment shall occur outside of jurisdiction during construction.
19. Temporary water diversion measures shall be entirely removed immediately following construction.
20. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by netting and pinning on slopes steeper than 3:1.
21. A post-construction report documenting the status of the restored streambed and banks shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
22. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the restoration area during the early stages of vegetative establishment.
23. Upland riparian areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.
24. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
25. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(i), projects that alter the course of or disturb 200 or more linear feet of an intermittent or perennial nontidal stream or river channel or its banks.
2. Project activities are necessary as the NH Department of Transportation has documented deterioration of the existing bridge.
3. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
5. Proposed project activities will improve public safety.
6. The applicant has adequately addressed the requirements for application evaluation identified in Rule Wt 302.04(a).
7. The new bridge structure was sized to enlarge existing hydraulic opening. The project will therefore not change the tendency for flooding of the Smith River.
8. DES Staff conducted a field inspection of the proposed project on June 16, 2004. Field inspection determined the new bridge abutments are above the top of bank and will reduce the impacts to jurisdiction.
9. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this riverine ecosystem.

**2004-01482                      KEYSpan ENERY DELIVERY, PATRICIA HAEDERLE**  
**NASHUA   Nashua River**

Requested Action:

Impact a total of 4,461 sq. ft. of riverbed of the Nashua River to install protective rip rap and concrete revetment mattress to provide cover to two exposed gas pipelines, and to cap coal tar-contaminated sediments.

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Conservation Commission/Staff Comments:

This project has been presented to the Nashua Con. Com. who indicated a favorable response.

Inspection Date: 07/15/2004 by Dori A Wiggin

APPROVE PERMIT:

Impact a total of 4,461 sq. ft. of riverbed of the Nashua River to install protective rip rap and concrete revetment mattress to provide cover to two exposed gas pipelines, and to cap coal tar-contaminated sediments.

With Conditions:

1. All work shall be in accordance with plans by Coler and Colantonio, Inc. dated 5/20/04, as received by the Department on 7/26/04.
2. Erosion control and construction sequence notes on the approved plans shall be explicitly followed.
3. A professional engineer shall inspect the project to insure compliance with approved plans and permit conditions.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. Work shall be done during low flow.
6. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(f), projects located in or adjacent to designated prime wetlands under RSA 482-A:15.
2. A prime wetlands public hearing was held on July 26, 2004. DES and the applicant were the only attendees. The record closed at the close of business that day.
3. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
4. The applicant has provided evidence which demonstrates that his/her project, as approved and conditioned, is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
6. The detailed engineering plans accurately locate the boundary of the wetlands and prime wetlands.
7. Based on the inspection conducted on 7/15/04 by DES personnel, the project involves minor environmental impacts for necessary repair of exposed gas pipelines and contaminated sediments, the repair and remediation of which is in the interest and protection of the general public.
8. Based on findings #1-7 above, there is clear and convincing evidence this proposal will have no significant loss of values to the prime wetlands as set forth in RSA 482-A:1, and the project meets the criteria set forth in Rule Wt 703.01 Criteria for Approval. No mitigation is required for this project.
9. This project is located below the Jackson Falls Dam which is the impoundment structure for the area of public waters of the Nashua River.
10. In response to the comment letter of the Lower Merrimack River Local Advisory Committee, dated 7/26/04, received by DES on 7/27/04, DES finds the following:

- a. with respect to potential alternatives of relocating the pipeline: this is an existing, established and functioning pipeline in need of maintenance of its cover, and relocation of the pipeline does not represent a practicable alternative for what is essentially a maintenance activity. Relocating the pipeline also would not resolve the need to cap the contaminated sediments which are being remediated in combination with the pipeline coverage issues;
- b. with respect to the height that the riverbed will be raised, review of plans received at the 7/26/04 hearing finds that only the area where the revement mattress and the rip rap overlap may equal 3 feet in height for a width of approximately 8 feet on the southerly side of the river;
- c. with respect to the longevity of the repair, it is expected that properly engineered cover will outlast the current longevity of the pipeline, estimated at approximately 80 years.

Any party may apply for reconsideration with respect to any matter determined in this action within 28 days from the date of this notification. A motion for reconsideration must specify all grounds upon which future appeals may be based, and should include information not available to the Department when the decision was made. The Department may grant reconsideration if, in its opinion, good reason is provided in the motion.

**2004-01524                      PENNICHUCK WATER WORKS, DON WARE**  
**NASHUA   Salmon Brook**

**Requested Action:**

Temporarily dredge and fill 200 square feet of Nashua Prime Wetlands adjacent to Salmon Brook to repair broken Pennichuck Water Works water main.

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Inspection Date: 07/15/2004 by Dori A Wiggin

**APPROVE PERMIT:**

Temporarily dredge and fill 200 square feet of Nashua Prime Wetlands adjacent to Salmon Brook to repair broken Pennichuck Water Works water main.

**With Conditions:**

1. All work shall be in accordance with plans by Pennichuck Water Works dated July 15, 2004, as received by the Department on July 26, 2004X.
2. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
3. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Orange construction fencing shall be placed at the limits of construction; siltation/erosion controls shall be installed prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
6. Erosion control and construction sequence notes on the approved plans shall be explicitly followed.
7. A professional engineer shall inspect the project to insure compliance with approved plans and permit conditions.
8. Repair shall maintain existing size, location and configuration.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Work shall be done during low flow.

**With Findings:**

1. This is a major impact project per Administrative Rule Wt 303.02(f), projects located in or adjacent to designated prime wetlands under RSA 482-A:15.
2. A prime wetlands public hearing was held on July 26, 2004. DES and the applicant were the only attendees. The record closed on July 30, 2004.

3. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
4. The applicant has provided evidence which demonstrates that his/her project, as approved and conditioned, is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
6. The detailed engineering plans accurately locate the boundary of the wetlands and prime wetlands.
7. The erosion controls, water velocity controls, grass treatment swales, stabilization methods, will protect the ability of the wetlands to retain floodwaters and silt.
8. Based on the inspection conducted on July 15, 2004 by DES personnel, DES finds that the project involves temporary and minimal environmental impacts for necessary repair to a key municipal water distribution system element.
9. Based on findings #1-8 above, there is clear and convincing evidence this proposal will have no significant loss of values to the prime wetlands as set forth in RSA 482-A:1, and the project meets the criteria set forth in Rule Wt 703.01 Criteria for Approval. No mitigation is required for this minimal temporary repair.

Any party may apply for reconsideration with respect to any matter determined in this action within 28 days from the date of this notification. A motion for reconsideration must specify all grounds upon which future appeals may be based, and should include information not available to the Department when the decision was made. The Department may grant reconsideration if, in its opinion, good reason is provided in the motion.

#### MINOR IMPACT PROJECT

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**2002-02018                      LEBANON, CITY OF**  
**LEBANON    Great Brook**

##### Requested Action:

Dredge and fill 2,290 square feet (including rip rap of approximately 135 linear feet of stream bank) in riverine wetlands and within the banks of the Great Brook to replace the Spring Street Bridge. Work within jurisdiction consists of the repair of the abutments and construction of a new bridge deck.

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##### Conservation Commission/Staff Comments:

Conservation Commission has made no comments on this project

##### APPROVE AMENDMENT:

Dredge and fill 2,290 square feet (including rip rap of approximately 135 linear feet of stream bank) in riverine wetlands and within the banks of the Great Brook to replace the Spring Street Bridge. Work within jurisdiction consists of the repair of the abutments and construction of a new bridge deck. per plans received on 04/03/2003.

##### With Conditions:

1. All work shall be in accordance with plans by SEA Consultants, Inc. dated April 4, 2003, as received by the Department on April 9, 2003, and amended plans received July 24, 2004, to include 36 linear feet of additional rip rap on the northwest bank.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. No work shall be done which might cause adverse water quality impacts during the period from October 1 through May 31 due to the presence of brook trout in Great Brook unless a waiver of this condition is issued from the DES Wetlands Bureau.
4. Work shall be done during low flow.
5. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site

has returned to normal clarity.

7. Prior to commencing work on a substructure located within surface waters, a temporary cofferdam shall be constructed to isolate the substructure work area from the surface waters. 8. Temporary cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a temporary cofferdam is fully effective, confined work can proceed without restriction.

9. Temporary cofferdams shall be entirely removed immediately following construction.

10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.

11. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau

12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

13. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

14. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

#### With Findings:

1. This project will alter approximately 135 linear feet of a perennial stream bank and therefore is a minor impact project per Administrative Rule Wt 303.03(1), alteration of less than 200 linear feet of a perennial stream channel and its banks.

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

5. The bridge was built in 1953, and according to the NHDOT, has not been rebuilt.

6. Repair of the bridge is a benefit to public safety.

7. The northwest bank was determined to be unstable.

8. The existing slope is 1:1 from the edge of stream channel to the top of the bank.

9. The Department has determined site limitations restrict options for stabilization.

#### **2003-00292                      NH DEPT OF TRANSPORTATION FARMINGTON   Dames River**

#### Requested Action:

Replace deck, reface wings and abutments, construct new toe walls, install curbs and railings; stabilize slopes with stone impacting a total of 1,025 sq. ft. of stream and banks (625 sq. ft. temporary).

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#### Conservation Commission/Staff Comments:

5/12/04 'Jean Demers'; Dennis Danna (E-mail); Chuck Corliss (E-mail) We need something from the Conservation Commission or address their concerns

#### APPROVE PERMIT:

Replace deck, reface wings and abutments, construct new toe walls, install curbs and railings; stabilize slopes with stone impacting a total of 1,025 sq. ft. of stream and banks (625 sq. ft. temporary). NHDOT project #99052S.

#### With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Bridge Maintenance signed 02/04/03, as received by the Department on February 18, 2003.

2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.

3. Unconfined work within the brook, exclusive of work associated with installation of a cofferdam, shall be done during periods of

low flow.

4. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
5. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
6. Temporary cofferdams shall be entirely removed immediately following construction.
7. Construction equipment shall not be located within surface waters.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
10. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
12. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Matting and pinning shall stabilize slopes steeper than 3:1.
13. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
14. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
15. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
16. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.
17. Any work outside of the Right of Way shall be coordinated with the landowner prior to construction in those areas.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(l), alteration of less than 200 linear feet of banks of a stream.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence, which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project
5. The DES Wetlands Bureau received a copy of the Conservation Commission letter of July 19, 2004 noting no concerns regarding the application.

**2004-00170                      WH DEVELOPMENT LLC**  
**SWANZEY   Unnamed Wetland**

Requested Action:

Fill approximately 19,652 square feet of palustrine forested and scrub-shrub wetlands and culvert perennial streams to provide access to 41 building lots associated with Phases II and III of a residential subdivision known as Woodland Heights and establish 112 acres of Common Land.

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Conservation Commission/Staff Comments:

The Conservation Commission requested action be suspended for 40 days from the date of the town clerks signature in accordance with RSA 482-A:11,III, to submit a report.

On March 9, 2004, the Conservation Commission submitted their report. The report questioned the potential impacts for construction of a detention basin associated with Lot 24.

Inspection Date: 04/27/2004 by Jeffrey D Blecharczyk

APPROVE PERMIT:

Fill approximately 19,652 square feet of palustrine forested and scrub-shrub wetlands and culvert perennial streams to provide access to 41 building lots associated with Phases II and III of a residential subdivision known as Woodland Heights and establish 112 acres of Common Land.

With Conditions:

1. All work shall be in accordance with plans by T.F. Moran Inc., sheets 1 through 7 and 9 through 23 of 23 dated June 21, 2004, as received by the Department on June 23, 2004 and Sheet 8 of 23 dated July 8, 2004, as received by the Department on July 15, 2004.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval.
6. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
7. This permit is contingent upon the establishment of 112 acres of common area as depicted on plans received June 23, 2004.
8. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
9. There shall be no removal of the existing vegetative undergrowth within the easement area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.
10. Work shall be done during low flow.
11. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
12. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
13. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
14. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
15. Proper headwalls shall be constructed within seven days of culvert installation.
16. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
17. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:



1. The project impacts 19,652 sq ft of nontidal jurisdictional wetlands and is therefore a Minor Project, per Rule Wt 303.03(h).
2. Project activities are necessary to provide vehicular access to 41 building lots associated with Phases II and III of a residential subdivision known as Woodland Heights.
3. The applicant will establish 112 acres of Common Land.
4. The applicant has sufficiently demonstrated that the proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction, in accordance with Rule Wt 302.03.
5. The applicant has adequately addressed the requirements for application evaluation identified in Rule Wt 302.04(a).
6. The applicant has adequately addressed the subdivision approval conditions described in Rule Wt 304.09(a).
7. The applicant has designed stormwater control structures to adequately avoid jurisdictional wetlands.

**2004-00268                      PESATURO SR, JOHN**  
**CAMPTON   Unnamed Stream**

Requested Action:

Extend existing 24 inch culvert 32 feet to reduce a safety hazard

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Conservation Commission/Staff Comments:

Conservation Commission believes the safety issue could be solved with fewer impacts, use of barriers, markers, fencing, vegetation, or potential to consider a culvert on the southern portion. Conservation Commission noted previous request in 2003 was denied by the NHDES Wetlands Bureau. They do not believe the north section should be impacted; this reach functions as a natural course.

Inspection Date: 05/14/2004 by Jeffrey D Blecharczyk

APPROVE PERMIT:

Extend existing 24 inch culvert 32 feet to reduce a safety hazard

With Conditions:

1. All work shall be in accordance with plans by Neil McIver dated July 11, 2004, as received by the Department on July 12, 2004.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
3. There shall be no placement of structures or conversion to impervious surfaces in the location of the culverted stream channel.
4. The owner of this lot is responsible for the proper maintenance and replacement as required, of the approved 24" x 32' culvert extension immediately south of the driveway crossing.
5. The deed which accompanies the sales transaction for this lot shall contain condition #'s 2, 3 and 4 of this approval.
6. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
7. A post-construction report documenting the completion of the project area with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
8. Work shall be done during low flow.
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(1), alteration of less than 200 linear feet of a nontidal perennial stream and its banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on May 14, 2004. Field inspection determined the Kendall Brook stream channel has been historically altered.
7. The Kendall Brook drainage area originates on the northeast side of Sunset Hill runs along Broomstick Lane into a man made pond. From the pond Kendall Brook is culverted for approximately 750 feet to the subject property, Lot 13-34 and includes the addition of stormwater drainage from Route 175 (Main Street).
8. The Department has determined the proposed project will have a minimal impact on the historically altered stream channel.
9. Wetlands Permit #1993-1225, approved a 10' extension to the existing 12' x 24" culvert to provide safe access and did not place any restrictions on the property related to proposed future wetlands impacts.

**2004-00294 SWANZEY, TOWN OF  
SWANZEY California Brook**

Requested Action:

Dredge and fill 8,766 square feet (including 1,769 square feet of temporary impacts) in riverine wetlands and within the banks of California Brook to replace and upgrade the West Street crossing. Work within jurisdiction consists of removal of exiting twin culvert crossing and construction of a new bridge with abutments.

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Conservation Commission/Staff Comments:

The Conservation Commission stated Cobble Hill road immediately down stream of West Street has experienced flooding. The Commission questions the potential for increased flows at the Cobble Hill road crossing downstream of the West Street Bridge to increase the potential for flooding.

Inspection Date: 04/29/2004 by Jeffrey D Blecharczyk

APPROVE PERMIT:

Dredge and fill 8,766 square feet (including 1,769 square feet of temporary impacts) in riverine wetlands and within the banks of California Brook to replace and upgrade the West Street crossing. Work within jurisdiction consists of removal of exiting twin culvert crossing and construction of a new bridge with abutments.

With Conditions:

1. All work shall be in accordance with plans by Hoyle, Tanner & Associates, Inc., sheet 6, dated April 2004, as received by the Department on May 21, 2004, and project plans dated April 2004, as received by the Department on June 9, 2004.
2. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
3. This permit is contingent on review by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
4. The applicant shall notify DES and the local conservation commission in writing of their intention to commence construction no less than 5 business days prior to construction.
5. Work shall be done during annual low flow conditions and during the months of May through September. No in-stream work shall occur after October 1 unless a waiver of this condition is issued by the DES Wetlands Bureau in consultation with the NH

Department of Fish and Game.

6. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
8. All in-stream work shall be conducted in a manner that minimizes the duration of construction in the watercourse. In-stream work shall not exceed five consecutive days in total unless specifically authorized in writing by the Wetlands Bureau.
9. There shall be no excavation or operation of construction equipment in flowing water.
10. Prior to commencing work on a substructure located within surface waters, a temporary cofferdam shall be constructed to isolate the substructure work area from the surface waters.
11. Temporary cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a temporary cofferdam is fully effective, confined work can proceed without restriction.
12. Temporary cofferdams shall be entirely removed immediately following construction.
13. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
14. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau
15. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
16. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
17. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
18. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project will impact 8,766 sq of jurisdictional wetlands to replace and upgrade an existing bridge crossing and is therefore a minor impact project per Administrative Rule Wt 303.03(h), alteration of less than 20,000 sq ft of nontidal jurisdictional wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on April 27, 2004. Field inspection determined the proposed project would directly impact 50 linear feet of stream channel not documented in the initial proposal.
6. On May 21, 2004, revised plans submitted to the Department clearly identify the stream channel and reducing the impacts in the stream channel.
7. The Conservation Commission raised a concern for the potential of additional flooding down stream at the Cobble Hill crossing as a result of the enlarged opening at the West Street crossing.
8. The design engineers have determined a dam located downstream of Cobble Hill Rd and the West Street Bridge have a substantial impact on the corresponding water surface elevations documented at both road crossings over California Brook.
9. The design engineers have determined the proposed West Street Bridge project will not exacerbate flooding at the Cobble Hill road culvert crossing during a 50-year storm event.

**2004-00504**                      **NEWMARKET, TOWN OF**  
**NEWMARKET**   **Lamprey River**

Requested Action:

Excavate, fill, regrade and/or otherwise alter terrain within 14,906 sq. ft. of the previously impacted upland tidal buffer zone for

work associated with repairs, rehabilitation and landscaping of the Town of Newmarket Waterfront Park a/k/a River Walk at Chick's Weir.

\*\*\*\*\*

Inspection Date: 03/12/2004 by Christina Altimari

**APPROVE PERMIT:**

Excavate, fill, regrade and/or otherwise alter terrain within 14,906 sq. ft. of the previously impacted upland tidal buffer zone for work associated with repairs, rehabilitation and landscaping of the Town of Newmarket Waterfront Park a/k/a River Walk at Chick's Weir.

**With Conditions:**

1. All work shall be in accordance with plans by Charles Hoyt Designs, Inc. dated 7/14/04, as received by the Department on July 30, 2004.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. NH DES Coastal staff shall be notified in writing prior to commencement of work and upon its completion.

**With Findings:**

1. This is a minor impact project per Administrative Rule Wt 303.03(a)&(b), alteration of terrain within 14,906 sq. ft. of the previously impacted upland tidal buffer zone for work associated with repairs, rehabilitation and landscaping of the Town of Newmarket Waterfront Park.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

**2004-00558                      FIJOL, LINDA**  
**SPOFFORD    Unnamed Wetland**

**Requested Action:**

Dredge and fill approximately 7,835 square feet of emergent wetland to include 30 linear feet of impact to perennial stream for the upgrade of Forest Ave. to provide access to a golf center.

\*\*\*\*\*

**Conservation Commission/Staff Comments:**

Conservation Commission signed the expedited application, though included additional comments. Questioned the potential existence for additional impacts associated with the access roadway, to include recommending a site inspection by DES staff.

Inspection Date: 01/08/2004 by Jeffrey D Blecharczyk

**APPROVE PERMIT:**

Dredge and fill approximately 7,835 square feet of emergent wetland to include 30 linear feet of impact to perennial stream for the upgrade of Forest Ave. to provide access to a golf center.

**With Conditions:**

1. All work shall be in accordance with following plans by SVE Associates dated February 13, 2004 with revisions through April 17, 2004, as received by the Department on June 1, 2004, to include:
  - a.) Grading and Utility Plan (Sheet C4 of 8);
  - b.) Erosion Control Plan (Sheet C5 of 8).

2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. This permit is contingent on approval by the DES Site Specific Program.
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
6. Work shall be done during low flow conditions.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Culvert outlets shall be properly rip rapped.
12. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
14. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
15. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Wt 303.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a pre-application, field inspection of the proposed project on January 8, 2004. Field inspection determined presence of a stream channel through proposed access road, requiring a wetlands permit.
6. The Department has determined the project will have a minimal impact on the environment as designed.

**2004-00570**                      **DULAC, DAVID**  
**GILFORD**   **Lake Winnepesaukee**

Requested Action:

Applicant requests to retain jet ski lifts, sand and retaining wall.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con. Com. requested a hold but never submitted any comments once the 40 day hold passed.

APPROVE AFTER THE FACT:

Retain (2) seasonal jet ski lifts, sand for beach replenishment, and 64 linear ft of repaired stone retaining wall on an average of 176 ft of frontage on Smith Cove, Lake Winnepesaukee.

With Conditions:

1. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau. Any future work within jurisdiction conducted without a permit may result in compliance action by the Wetlands Bureau including but not limited to fines and restoration of impacted areas.
2. This approval shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
3. This approval does not allow for annual beach replenishment.
4. The landowner shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
5. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This application was received after the fact for the sand replenishment, the wall replacement, and the seasonal jet ski lifts.
2. Applicant does not have a history of noncompliance.

Requested Action:

Replace (2) 30 ft seasonal docks with (2) 6 ft x 40 ft seasonal docks and install a 24 ft x 40 ft seasonal canopy on an average of 176 ft of frontage on Smith Cove, Lake Winnepesaukee.

\*\*\*\*\*

APPROVE PERMIT:

Replace (2) 30 ft seasonal docks with (2) 6 ft x 40 ft seasonal docks and install a 24 ft x 40 ft seasonal canopy on an average of 176 ft of frontage on Smith Cove, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by David Dulac dated May 25, 2004, as received by the Department on May 27, 2004.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau. Any future work within jurisdiction conducted without a permit may result in compliance action by the Wetlands Bureau including but not limited to fines and restoration of impacted areas.
5. All removed material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
8. Seasonal piers shall be removed for the non-boating season.
9. Canopies shall be of seasonal construction type with a flexible fabric cover which shall be removed for the non-boating season.
10. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
11. These shall be the only structures on this water frontage and all portions of the dock shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.
12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(d), modification of a 3-slip seasonal docking facility.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to

areas and environments under the department's jurisdiction per Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

5. The applicant submitted signed letters from abutters who have no objection to the oversized canopy.

**2004-00664                      CROSS MILL VILLAGE LLC**  
**NORTHFIELD   Unnamed Wetland**

**Requested Action:**

Dredge and fill 8172 square feet of palustrine forested wetland in 8 locations and including installation of 3 culverts impacting 170 linear feet of intermittent stream for access in the residential development of 50.67 acres.

\*\*\*\*\*

**Conservation Commission/Staff Comments:**

The conservation commission indicated they were concerned with sedimentation into the Winnepesaukee River and the lack of snow storage on the plans.

Inspection Date: 07/07/2004 by Jocelyn S Degler

**APPROVE PERMIT:**

Dredge and fill 8172 square feet of palustrine forested wetland in 8 locations and including installation of 3 culverts impacting 170 linear feet of intermittent stream for access in the residential development of 50.67 acres.

**With Conditions:**

1. All work shall be in accordance with plans by Lepene Engineering and Surveying dated July 13, 2004, as received by the Department on July 15, 2004.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval.
6. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
7. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, NH to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
9. Work shall be done during low flow.
10. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
12. Proper headwalls shall be constructed within seven days of culvert installation.
13. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
14. There shall be a vegetated drainage swale on the south side of Terrace Road extension hydrologically connecting wetland W1C with wetland W4.
15. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
16. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be

stabilized within 14 days by seeding and mulching.

17. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

18. Silt fencing must be removed once the area is stabilized.

19. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Wt 303.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on July 7, 2004. Field inspection determined seasonal streams were located at crossings W2, W3C, and W4 and all other crossings did not have a defined stream channel.
6. The applicant has provided information that the roadway can not be relocated further to the south due to several abutters granted access to utilize the roadway in it's current position.
7. Wetland impacts W3A and W3B are within 20 feet of the property line shared with Tax map R4 lot Unknown, owned by Patricia Young.
8. The applicant has attempted to receive a letter of permission from the affected abutter pursuant to Rule Wt 304.04, Setback from Property Lines, but has been unable to contact Ms. Young.
9. The applicant has demonstrated that this is the most reasonable alternative for the site in accordance with Rules Wt 302.03 and Wt 304.16.
10. The applicant has demonstrated that this project will not result in increased environmental impact.
11. The Department hereby waives Rule Wt 302.04(d)(4) based on findings above.

**2004-01011 CAMACHO, HENRY**  
**SEABROOK Seabrook Harbor**

Requested Action:

Request name change to:

Diane M. Wasson  
242 Exeter Road  
Hampton, NH 03842

\*\*\*\*\*

APPROVE NAME CHANGE:

Approve name change to:

Diane M. Wasson  
242 Exeter Road  
Hampton, NH 03842

Project description: Excavate, regrade, fill and/or otherwise alter terrain on 3,700 sq. ft. of previously impacted upland tidal buffer zone to construct a single family home with associated landscaping and parking. That portion of the lot being within 50 feet of the highest observable tide line will be planted and maintained as a stand of American Beach Grass.

With Conditions:

1. All work shall be in accordance with plans by Parker Survey & Engineering dated May 04, 2004, as received by the Department on May 21, 2004.



2. Coastal staff shall be notified in writing prior to commencement of work and upon its completion.
3. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on stand of American Beach Grass.
4. That portion of the lot being within 50 feet of the highest observable tide line, as shown on approved plan, will be planted and maintained as a stand of American Beach Grass.
5. American Beach Grass replication/ restoration area shall have at least 75% successful establishment of American Beach Grass after two (2) growing seasons, or it shall be replanted and re-established until a functional stand of American Beach Grass is replicated in a manner satisfactory to the DES Wetlands Bureau.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(b), alteration of 3,700 sq. ft. of previously impacted upland tidal buffer zone to construct a single family home with associated landscaping.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

**2004-01480                      R2003L REALTY LLC**  
**AUBURN   Unnamed Wetland**

Requested Action:

Dredge and fill a total of 3,436 sq. ft. of forested wetlands and install 3 18" culverts for roadway crossing to a 7-lot subdivision (an 8th lot to be deeded to the town for Conservation) on 21 acres.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Did not report.

APPROVE PERMIT:

Dredge and fill a total of 3,436 sq. ft. of forested wetlands and install 3 18" culverts for roadway crossing to a 7-lot subdivision (an 8th lot to be deeded to the town for Conservation) on 21 acres.

With Conditions:

1. All work shall be in accordance with plans by TF Moran Inc. dated 5/4/04, as received by the Department on 7/1/04.
1. This permit is contingent on approval by the DES Subsurface Systems Bureau.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
3. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval.
6. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
8. Work shall be done during low flow.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), projects involving less than 20,000 sq. ft. of alteration in the aggregate in non-tidal wetlands which exceed the criteria of Wt 303.04 (f).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

**2004-01484                      AQUA TERRACE CONDO ASSOCIATION, MATTHEW SLOMCKE**  
**MEREDITH   Lake Winnepesaukee**

Requested Action:

Impact 300 sq ft of bank to install 68 linear ft of rip rap on an average of 186 ft of frontage on Meredith Bay, Lake Winnepesaukee.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con. Com. did not comment on project.

APPROVE PERMIT:

Impact 300 sq ft of bank to install 68 linear ft of rip rap on an average of 186 ft of frontage on Meredith Bay, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by David M. Dolan Associates, P.C. dated June 9, 2004, as received by the Department on July 1, 2004, and cross-sections by Watermark Marine Construction dated June 22, 2004, as received by the Department on July 1, 2004.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
7. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
8. Rip-rap shall be installed so that the lakeward surface of the riprap is in the same location and at the same slope as the existing shoreline.
9. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(k), projects that disturb between 50 and 200 linear feet, measured along the shoreline, of a lake or pond or its bank and do not meet the criteria of Wt 303.02.

**MINIMUM IMPACT PROJECT**

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**1999-01632                      POMEROY, LLOYD A**  
**NEWBURY   Sunapee Lake**

Requested Action:

Approve name change to: Carey M Demers, 19 Jebb Rd., Merrimack NH 03054 per request received 7/30/04.

\*\*\*\*\*

APPROVE NAME CHANGE:

Excavate 32 sq. ft. along the bank of Lake Sunapee to install a sewer line from an existing boathouse used as a dwelling. All work shall be in accordance with plans received 08/12/99.

With Conditions:

1. Any further alteration of wetlands on this property will require a new application and further permitting by the DES Wetlands Bureau.
2. Work shall be done during low flow.
3. No equipment shall enter the water.
4. Excavated material shall be used to retore the disturbed lake bank or placed out of the DES Wetlands Bureau jurisdiction.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
6. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. This permit is contingent on approval by the DES Subsurface Systems Bureau, if a permit from the DES Subsurface Sustems Bureau is necessary.
8. All activity shall be in accordance with the Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Wt 502.03(b).

**2001-00471 UNIVERSITY OF NH**  
**DURHAM College Brook**

Requested Action:

Amend original permit to impact 174,240 sq ft. of wetland for the restoration of a degraded wet meadow to improve water quality in College Brook with the following change: replace an existing 12 inch corrugated metal pipe with a 21 inch reinforced concrete pipe on Concord Road with no change in wetland impact.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con. Com. signed expedited application.

APPROVE AMENDMENT:

Amend original permit to impact 174,240 sq ft. of wetland for the restoration of a degraded wet meadow to improve water quality in College Brook with the following change: replace an existing 12 inch corrugated metal pipe with a 21 inch reinforced concrete pipe on Concord Road with no change in wetland impact.

With Conditions:

1. Coastal staff shall be notified in writing prior to commencement of work and upon completion.
2. Any further alteration of wetlands on this property will require a new application and further permitting by Department of Environmental Services ("DES") Wetlands Bureau.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain in until the area is stabilized.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. All work shall be in accordance with plans by UNH Sustainable Landscape Group dated January 16, 2001, as received by the Department on April 13, 2001 and the Grading and Utility Plan Mast Road Lot by McFarland-Johnson, Inc. dated July 14, 2004 as received by the Department on July 30, 2004.
6. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing, by mulching with tack or netting and pinning on slopes steeper than 3:1.

7. The wetland restoration area shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or it shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
8. The wetland restoration area shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create a functioning wetland area. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the wetland surface, and changing the hydraulic regime.
9. The permittee shall designate a qualified professional who will have the responsibility to assure that restoration area is constructed in accordance with the submitted plans, that monitoring is accomplished in a timely fashion, and remedial measures are taken if necessary. The Wetlands Bureau shall be notified of the designated professional prior to the start of work and if there is a change of status during the project.
10. Monitoring reports describing and evaluating the restoration progress shall be submitted to DES Wetlands Bureau to the following schedule:
  - a) upon completion of construction;
  - b) at the end of the first growing season;
  - c) at the beginning, middle, and end of subsequent growing seasons until final delineation occurs at five years post-construction.
11. The applicant shall conduct a follow-up inspection after the first growing season to review the success of the restoration area and schedule remedial actions if necessary. A report outlining these follow-up measures and schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second or third years following the initial completion of each restoration site. After at least five full growing seasons, the applicant shall delineate the wetlands within the restoration area, document the delineation with data forms, and depict the delineation as an overlay of the final as-built plans.
12. After at least five full growing seasons, the permittee shall submit to DES Wetlands Bureau delineation of the wetlands within the restoration site and document the delineation with data forms and depict the delineation as an overlay of the final as-built plans, and submit a narrative functional assessment of the newly created/enhanced wetlands.
13. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the restoration area during construction and during the early stages of vegetative establishment.

With Findings:

1. This project is classified as a minimum impact project per Wt 303.04(t)-Restoration of altered or degraded wetlands.
2. This project will result in beneficial environmental effects by restoring highly disturbed and degraded wetlands. Water quality in College Brook is currently negatively impacted due to manure applications to the existing hayfield and runoff from adjacent roadways. Restoration of this hayfield to a more diverse wet meadow wetland will improve the water quality of College Brook, increased flood flow alteration, wildlife habitat, production export, scientific, educational, heritage and aesthetic values.

**2004-00920**                      **COLETTI, ANTHONY & JANE**  
**SEABROOK Tidal Buffer**

Requested Action:

Impact 1,670 sq. ft. in an area considered to be in NH DES sand dune jurisdiction to excavate, fill or otherwise alter terrain to replace existing cottage with a 2.5 story dwelling on a concrete slab/foundation.

\*\*\*\*\*

APPROVE PERMIT:

Impact 1,670 sq. ft. in an area considered to be in NH DES sand dune jurisdiction to excavate, fill or otherwise alter terrain to replace existing cottage with a 2.5 story dwelling on a concrete slab/foundation.

With Conditions:

1. All work shall be in accordance with plans by Gerrit J. Crabbendam dated May 3, 2004, as received by the Department on May 14, 2004.
2. NH DES Coastal staff shall be notified in writing prior to commencement of work and upon its completion.

**2004-01002                      SANTOS, JAMES & KIMBERLY**  
**SALEM    Unnamed Wetland**

Requested Action:

Dredge and fill approximately 1,553 square feet of forested wetland for installation of a 12-inch by 25 foot culvert to access a single family residential lot on approximately 3.785 acres.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Salem Conservaiton Commission did not sign the original Minimum Impact Expedited Application. However, the Salem CC provided a signed copy at a later date.

APPROVE PERMIT:

Dredge and fill approximately 1,553 square feet of forested wetland for installation of a 12-inch by 25 foot culvert to access a single family residential lot on approximately 3.785 acres.

With Conditions:

1. All work shall be in accordance with plans by MHF Design Consultants, Inc. dated March 31, 2004, as received by the Department on May 21, 2004.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. Work shall be done during low flow conditions.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of jurisdictional forested wetland. ...
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The Department has determined that this project will have no adverse impact on Prime Wetlands nor to those sensitive species designated by NH Fish and Game.

**2004-01159                      STANTON FARM REALTY TRUST**  
**GLEN    Unnamed Stream**

Requested Action:

Dredge and fill approximately 605 square feet of forested wetland to upgrade an existing woods road for installation of two (2) 18-inch by 25 foot culverts to access two (2) single family residential lots.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Bartlett Conservation Commission did not sign the PBN.

APPROVE PERMIT:

Dredge and fill approximately 605 square feet of forested wetland to upgrade an existing woods road for installation of two (2) 18-inch by 25 foot culverts to access two (2) single family residential lots.

With Conditions:

1. All work shall be in accordance with plans by White Mountain Survey as received by the Department on June 30, 2004.
2. This permit is contingent on approval by the DES Site Specific Program.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
7. Work shall be done during low flow.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of jurisdictional forested wetland.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2004-01186                      ST KATHARINE DREXEL PARISH**  
**ALTON   Unnamed Wetland**

Requested Action:

Fill 1942 square feet of wet meadow and scrub shrub wetland for the widening of existing road for public safety.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The conservation commission has no concerns with the proposed project.

APPROVE PERMIT:

Fill 1942 square feet of wet meadow and scrub shrub wetland for the widening of existing road for public safety.

With Conditions:

1. All work shall be in accordance with plans by Burd Engineering dated May 21, 2004, and revised through May 26, 2004, as received by the Department on June 7, 2004.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. This permit is contingent on approval by the DES Site Specific Program.

11. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
13. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Water Division permitting staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
17. Work shall be conducted during low water conditions.
20. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
24. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
29. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
31. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), projects involving alteration of less than 3000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant conducted an inventory of the property for the Small Whorled Pogonia (*Isotria medeoloides*), an intensive search of the most suitable habitat proved negative.

**2004-01225                      SEABROOK, TOWN OF**  
**SEABROOK   Sand Dune**

Requested Action:

Impact 900 sq. ft. in an area considered to be in NH DES sand dune jurisdiction to excavate and backfill a 60 ft. long by 15 ft. wide trench in the town owned R.O.W. to install municipal sewer service to 129 Atlantic Avenue.

\*\*\*\*\*

APPROVE PERMIT:

Impact 900 sq. ft. in an area considered to be in NH DES sand dune jurisdiction to excavate and backfill a 60 ft. long by 15 ft. wide trench in the town owned R.O.W. to install municipal sewer service to 129 Atlantic Avenue.

With Conditions:

1. All work shall be in accordance with plans by Town of Seabrook as received by the Department on June 09, 2004.
2. Area shall be regraded to original contours following completion of work.
3. NH DES Coastal staff shall be notified in writing prior to commencement of work and upon its completion.

**2004-01248                      BIRD, WILLIAM**  
**SEABROOK   Sand Dune**

Requested Action:

Impact 2,000 sq. ft. in an area considered to be in NH DES sand dune jurisdiction to excavate, fill or otherwise alter terrain to

demolish and remove existing building w/deck and construct a new single family residence w/decks.

\*\*\*\*\*

**APPROVE PERMIT:**

Impact 2,000 sq. ft. in an area considered to be in NH DES sand dune jurisdiction to excavate, fill or otherwise alter terrain to demolish and remove existing building w/deck and construct a new single family residence w/decks.

**With Conditions:**

1. All work shall be in accordance with plans by E.J.Cote & Associates, Inc. dated May 10, 2004, as received by the Department on June 10, 2004.
2. NH DES Coastal staff shall be notified in writing prior to commencement of work and upon its completion.

**2004-01632                      GRIZZLE, RAYMOND**  
**NEWINGTON   Great Bay Estuaries**

**Requested Action:**

Impact 2,600 sq. ft. of bottom sediments at a location in the Great Bay off Woodman Point near Nannie Island in Newington to construct an artificial oyster reef consisting of eight(8) experimental reef plots.

\*\*\*\*\*

**APPROVE PERMIT:**

Impact 2,600 sq. ft. of bottom sediments at a location in the Great Bay off Woodman Point near Nannie Island in Newington to construct an artificial oyster reef consisting of eight(8) experimental reef plots.

**With Conditions:**

1. All work shall be in accordance with plans by UNH Jackson Estuarine Laboratory as received by the Department on July 16, 2004 and aerial photo location plot received August 06, 2004.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. NH DES Coastal staff shall be notified in writing prior to commencement of work and upon its completion.

**EXPEDITED MINIMUM**

\*\*\*\*\*

**2004-00845                      TREMBLAY, PAUL**  
**NORTHWOOD   Wet Meadow**

**Requested Action:**

Amend permit to include additional 324 sq. ft. of temporary wetlands impact to excavate an underground utility trench measuring 30" x 140'.

\*\*\*\*\*

**Conservation Commission/Staff Comments:**

Con. Com. signed the application.

**APPROVE AMENDMENT:**

Dredge and fill an amended total of 2,324 square feet of wet meadow wetland and install twin 18" x 35' culverts and associated rip rap outlet for a driveway crossing, and temporary impact of 324 square feet of wetland to excavate an underground utility trench measuring 30" x 140', to access elderly housing units 14-26 proposed for the rear portion of lot.



With Conditions:

1. All work shall be in accordance with plans by David W. Vincent, LLS dated 4/15/04, as received by the Department on 5/7/04.
2. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
3. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
4. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
5. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
6. No fill shall be done for lot development.
7. No fill shall take place in Atlantic white cedar swamps.
8. This permit is contingent on approval by the DES Site Specific Program.
9. This permit is contingent on approval by the DES Subsurface Systems Bureau.
10. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
11. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
12. Proper headwalls shall be constructed within seven days of culvert installation.
13. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

AMENDED CONDITION:

14. Area of temporary impact shall be regraded and restored to original contours, and reseeded and revegetated with an appropriate wetlands seed mix.

With Findings:

1. This additional impact is a result of requirements of the Town of Northwood regarding placement of utility poles and underground utilities.

**2004-01125                      CASWELL, ALLEN**  
**CENTER HARBOR   Unnamed Pond**

Requested Action:

Temporarily impact 98 square feet of bank for the installation of a dry hydrant for fire protection.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Center Harbor Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Temporarily impact 98 square feet of bank for the installation of a dry hydrant for fire protection.

With Conditions:

1. All work shall be in accordance with plans by Karl Berardi dated January 13, 2004, as received by the Department on June 1, 2004.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Work shall be done in low water conditions.
4. Appropriate siltation and erosion controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.

6. Machinery shall not be located within surface waters. All work must be conducted from the top of the bank.
7. Machinery shall be staged and refueled in upland areas.
8. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
9. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and fish spawning areas shall be avoided.
10. Discharge from dewatering of work areas shall be to sediment basins that are located in uplands, lined with hay bales or other acceptable sediment trapping liners, or set back as far as possible from wetlands and surface waters --in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
11. All construction-related debris and dredged material not used to backfill the dry hydrant pipe trench shall be placed outside of the DES Wetlands Bureau jurisdiction.
12. Any portion of the bank disturbed as part of installation of the dry hydrant pipe shall be regraded to original contours, seeded and stabilized immediately following completion of work.
13. The dry hydrant pipe, intake structure and support platform shall be installed so as not to pose a navigational hazard.
14. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B.

**2004-01126                      GRIMES, JOHN**  
**HAMPSTEAD   Tributary To Hog Hill Pond**

Requested Action:

Dredge approximately 128 square feet of roadside drainage ditch to restore proper flowage under Route 111 in Hampstead.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Hampstead Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Dredge approximately 128 square feet of roadside drainage ditch to restore proper flowage under Route 111 in Hampstead.

With Conditions:

1. All work shall be in accordance with plans received by the Department on June 190, 2004.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Work shall be done during low flow and low water conditions.
4. No equipment shall enter surface waters.
5. Appropriate erosion and siltation controls shall be installed prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of jurisdictional forested wetland.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application

Evaluation, has been considered in the design of the project.

**2004-01469                      WILSON, DONALD & ALAN**  
**WINDHAM   Unnamed Wetland**

**Requested Action:**

Dredge and fill approximately 888 square feet of forested and scrub-shrub wetlands to provide access to a commercial development on approximately 34 acres.

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**Conservation Commission/Staff Comments:**

The Windham Conservation Commission signed the Minimum Impact Expedited Application.

**APPROVE PERMIT:**

Dredge and fill approximately 888 square feet of forested and scrub-shrub wetlands to provide access to a commercial development on approximately 34 acres.

**With Conditions:**

1. All work shall be in accordance with the Minimum Expedited Wetland Impact Permit Plan by MHF Design Consultants, Inc. dated June 24, 2004, as received by the Department on July 1, 2004.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. This permit is contingent on approval by the DES Site Specific Program.
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Work shall be done during low flow conditions.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
11. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
12. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

**With Findings:**

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of jurisdictional forested wetland.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2004-01483                      VISTA VENTURES LLC**  
**NEW IPSWICH   Unnamed Wetland**

Requested Action:

Dredge and fill 1,969 square feet of palustrine scrub-shrub wetlands to provide access to one lot of a proposed 4-Lot subdivision.

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Conservation Commission/Staff Comments:

Conservation Commission did not sign the expedited application. Recommended the application not be approved and the applicant consider alternatives for access.

WITHDRAW APPLICATION:

Dredge and fill 1,969 square feet of palustrine scrub-shrub wetlands to provide access to one lot of a proposed 4-Lot subdivision.

**2004-01518                      KOSTICK, KELLI**  
**NEW DURHAM   Merrymeeting Lake**

Requested Action:

Permanently remove an existing 3 ft x 18 ft seasonal dock and replace with a 4 ft x 24 ft seasonal dock hinged to a 4 ft x 2 ft concrete pad on an average of 20 ft of frontage on Merrymeeting Lake, New Durham.

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Conservation Commission/Staff Comments:

Con. Com. signed application.

APPROVE PERMIT:

Permanently remove an existing 3 ft x 18 ft seasonal dock and replace with a 4 ft x 24 ft seasonal dock hinged to a 4 ft x 2 ft concrete pad on an average of 20 ft of frontage on Merrymeeting Lake, New Durham.

With Conditions:

1. All work shall be in accordance with plans by Kathryn Armstrong dated May 1, 2004, as received by the Department on .
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Seasonal piers shall be removed for the non-boating season.
5. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
6. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
7. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
9. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(a), construction of a 2-slip seasonal dock.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

## GOLD DREDGE

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**2004-01799                      JOHNSON, MARK**  
**(ALL TOWNS)   Unnamed Stream**

Conservation Commission/Staff Comments:  
Bath ConCom

## TRAILS NOTIFICATION

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**2004-01663                      FITZGIBBONS, JAMES & NAOMI**  
**PLAINFIELD   Unnamed Stream**

COMPLETE NOTIFICATION:  
Plainfield Tax Map - easement

## LAKES-SEASONAL DOCK NOTIF

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**2004-01808                      ZABRYCKI, STACY**  
**RAYMOND   Govenors Lake**

COMPLETE NOTIFICATION:  
Raymond Tax Map 13, Lot# 109 Governors Lake

**2004-01809                      HANLEY, SEAN**  
**GILFORD   Lake Winnepesaukee**

COMPLETE NOTIFICATION:  
Gilford Tax Map 50, Lot# 25 Lake winnipesaukee

## SHORELAND VARIANCE / WAIV

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**2004-00833                      SPICER, DAVID**  
**FITZWILLIAM    Laurel Lake**

Requested Action:

Grant a waiver to RSA 483-B:11, I, to replace the existing residence with a storage building having a larger footprint.

\*\*\*\*\*

Inspection Date: 07/01/2004 by Darlene Forst

APPROVE CSPA WAIVER:

Grant a waiver to RSA 483-B:11, I, to replace the existing residence with a storage building having a larger footprint.

With Conditions:

1. All work shall be conducted in accordance with plans as received by the department on May 6, 2004 and July 28, 2004.
2. This approval shall not be effective until it has been recorded at the appropriate County Registry of Deeds. Applicant shall file a restrictive covenant at the appropriate registry of deeds prohibiting a porch or deck from being added to the structure between the primary building line and the reference line (shoreline). A copy of the recorded approval shall be submitted to the DES Wetlands Bureau prior to construction.
3. This approval is contingent upon the receipt of a permit from the NH DES Wetlands Bureau for bank impacts including regrading associated with the construction of the proposed storage building.
4. All debris including existing septic tanks shall be removed, placed out of wetlands jurisdiction, and disposed of properly.
5. The proposed storage building shall only be used for storage.
6. No plumbing for water or septic shall be present in the proposed storage building.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
8. Extreme precautions to be taken to limit unnecessary removal of vegetation within the protected shoreland during construction.
9. A copy of this waiver shall be posted on site during construction in a prominent location visible to inspecting personnel.
10. This waiver does not exempt the owner from obtaining any other necessary local, state or federal permits or approvals.
11. The owner shall maintain compliance with all other requirements of the Comprehensive Shoreland Protection Act, RSA 483-B.

With Findings:

1. In accordance with RSA 483-B:9, II (a), primary structures shall be set back behind the primary building line which is 50 feet from the reference line.
2. In accordance with the Comprehensive Shoreland Protection Act, RSA 483-B:11, I, nonconforming structures may be repaired, renovated, or replaced in kind provided the result is a functionally equivalent use. Such repair or replacement may alter the interior design or existing foundation, but no expansion of the existing footprint or outside dimensions shall be permitted.
3. The existing non-conforming residence is located within the 50 ft setback to Laurel Lake.
4. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming." More nearly conforming "means a proposal for significant changes to the location or size of the existing structures that bring the structures into greater conformity, or a proposal for changes to other aspects of the property, including but not limited to stormwater management, wastewater treatment or traffic volume or flow, or both types of proposal which significantly improve wildlife habitat or resource protection."
5. The applicant has proposed to remove a two-story residence and replace with a one-story garage. The lower profile structure will more nearly conform to the intent of RSA 483-B.
6. The removal of the two existing septic systems from the property will more nearly conform to the intent of RSA 483-B.
7. The proposal for redevelopment of this site more nearly conforms to the intent of RSA 483-B and therefore meets the waiver requirements of RSA 483-B:11, II.

**2004-01237                      SAVIANO, MICHAEL**  
**ATKINSON    Big Island Pond**

Requested Action:

Grant waiver to RSA 483-B:11, I, to expand the second floor of a nonconforming residential home.

\*\*\*\*\*

Inspection Date: 07/01/2004 by Darlene Forst

APPROVE AMENDMENT:

AMENDMENT DESCRIPTION: Grant waiver to RSA 483-B:11, I, to expand the existing footprint and outside dimensions of a nonconforming residence by extending the residence 4 feet landward, adding an 8 ft x 10 ft entranceway to the landward side of the residence, and expanding the second floor.

With Conditions:

1. All work shall be conducted in accordance with plans as received by the department on June 14, 2004, July 1, 2004, and July 21, 2004.
2. This approval shall not be effective until it has been recorded at the appropriate County Registry of Deeds. A restrictive covenant shall be placed on the deed binding future owners to maintain the vegetative buffer as shown on plans received by the department on July 21, 2004. A copy of the recorded approval and covenant shall be submitted to the DES Wetlands Bureau prior to construction.
3. The expansion of the second floor shall not change the footprint of the residence.
4. The proposed removal of the 8 ft x 10 ft section of the residence shall occur before construction of the additions to the residence is completed.
5. The shoreland vegetative buffer shall be planted in March to mid-April following construction. The soil shall be mulched.
6. If planting in the fall is necessary, planting shall take place no earlier than mid-September and no later than mid-October. The soil shall be mulched with 3 to 4 inches of wood chips to prevent early frost damage.
7. All exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. Limestone shall be the only type of fertilizer used within 25 ft of the reference line. Low or no phosphorus fertilizer shall be the only fertilizer used from 25 ft - 250 ft beyond the reference line.
9. A copy of this waiver shall be posted on site during construction in a prominent location visible to inspecting personnel.
10. This waiver does not exempt the owner from obtaining any other necessary local, state or federal permits or approvals.
11. The owner shall maintain compliance with all other requirements of the Comprehensive Shoreland Protection Act, RSA 483-B.

With Findings:

1. The existing non-conforming residence is located within the 50 ft setback to Big Island Pond and therefore fails to conform to the minimum standard set forth in RSA 483-B:9, II, of the CSPA.
2. In accordance with RSA 483-B:11, I, nonconforming structures may be repaired, renovated, or replaced in kind provided the result is a functionally equivalent use. Such repair or replacement may alter the interior design or existing foundation, but no expansion of the existing footprint or outside dimensions shall be permitted.
3. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming." More nearly conforming "means a proposal for significant changes to the location or size of the existing structures that bring the structures into greater conformity, or a proposal for changes to other aspects of the property, including but not limited to stormwater management, wastewater treatment or traffic volume or flow, or both types of proposal which significantly improve wildlife habitat or resource protection."
4. The applicant has proposed to remove an 8 ft by 10 ft section off of the side of the home and plant a shoreline vegetative buffer along the frontage to meet the requirements of RSA 483-B:11, II.

Requested Action:

Grant waiver to RSA 483-B:11, I, to expand the second floor of a nonconforming residential home.

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APPROVE CSPA WAIVER:

Grant waiver to RSA 483-B:11, I, to expand the second floor of a nonconforming residential home.

With Conditions:

1. All work shall be conducted in accordance with plans as received by the department on July 1, 2004.
2. This approval shall not be effective until it has been recorded at the appropriate County Registry of Deeds. A restrictive covenant shall be placed on the deed binding future owners to maintain the vegetative buffer as shown on plans received by the department on July 21, 2004. A copy of the recorded approval and covenant shall be submitted to the DES Wetlands Bureau prior to construction.
3. The proposed addition shall not change the footprint of the existing residence.
4. The proposed removal of the 8 ft x 10 ft section of the residence shall occur before construction is completed on the second story.
5. The shoreland vegetative buffer shall be planted in March to mid-April following construction. The soil shall be mulched.
6. If planting in the fall is necessary, planting shall take place no earlier than mid-September and no later than mid-October. The soil shall be mulched with 3 to 4 inches of wood chips to prevent early frost damage.
7. All exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. Limestone shall be the only type of fertilizer used within 25 ft of the reference line. Low or no phosphorus fertilizer shall be the only fertilizer used from 25 ft - 250 ft beyond the reference line.
9. A copy of this waiver shall be posted on site during construction in a prominent location visible to inspecting personnel.
10. This waiver does not exempt the owner from obtaining any other necessary local, state or federal permits or approvals.
11. The owner shall maintain compliance with all other requirements of the Comprehensive Shoreland Protection Act, RSA 483-B.

With Findings:

1. The existing non-conforming residence is located within the 50 ft setback to Big Island Pond and therefore fails to conform to the minimum standard set forth in RSA 483-B:9, II, of the CSPA.
2. In accordance with RSA 483-B:11, I, nonconforming structures may be repaired, renovated, or replaced in kind provided the result is a functionally equivalent use. Such repair or replacement may alter the interior design or existing foundation, but no expansion of the existing footprint or outside dimensions shall be permitted.
3. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming." More nearly conforming "means a proposal for significant changes to the location or size of the existing structures that bring the structures into greater conformity, or a proposal for changes to other aspects of the property, including but not limited to stormwater management, wastewater treatment or traffic volume or flow, or both types of proposal which significantly improve wildlife habitat or resource protection."
4. The applicant has proposed to remove an 8 ft by 10 ft section off of the side of the home and plant a shoreline vegetative buffer along the frontage to meet the requirements of RSA 483-B:11, II.

**ROADWAY MAINTENANCE NOTIF**

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**2004-01800                      LEE, TOWN OF**  
**LEE    Unnamed Stream**

**PERMIT BY NOTIFICATION**

\*\*\*\*\*



**2004-01189                      BARNES, JOSEPH**  
**ENFIELD   Mascoma Lake**

Requested Action:

PBN#9, DES cannot permit non conforming structures with the PBN process.

\*\*\*\*\*

PBN DISQUALIFIED:

PBN#9, DES cannot permit non conforming structures with the PBN process.

**2004-01568                      RIZZO, THOMAS**  
**MEREDITH   Lake Winnepesaukee**

Requested Action:

PBN#9, Installation of a seasonal boatlift

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Meredith Conservation Commission signed the PBN form.

PBN IS COMPLETE:

PBN#9, Installation of a seasonal boatlift

**2004-01589                      KORJEFF, ANNE**  
**FITZWILLIAM   Laurel Lake**

Requested Action:

PBN#11, In kind repair of boat ramp.

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Conservation Commission/Staff Comments:

The Fitzwilliam Conservation Commission signed the PBN.

PBN IS COMPLETE:

PBN#11, In kind repair of boat ramp.

**2004-01624                      NISOURCE / GRANITE STATE GAS TRANSMISSION, JEFF MC**  
**PLAISTOW   Unnamed Wetland**

Requested Action:

PBN#6, Temporarily impact 566 square feet of emergent wetland to upgrade existing gas pipelines.

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Conservation Commission/Staff Comments:

The Plaistow Conservation Commission did not sign the PBN.

PBN IS COMPLETE:

PBN#6, Temporarily impact 566 square feet of emergent wetland to upgrade existing gas pipelines.

**2004-01625                      HAYES, JEFFREY**  
**JACKSON   Unnamed Stream**

Requested Action:

PBN#1, Dredge and fill approximately 75 square feet of intermittent stream (including 15 linear feet of stream impact) for the installation of a 36-inch by 15 foot culvert to access a single family residential lot of approximately 30 acres.

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Conservation Commission/Staff Comments:

The Bethlehem Conservation Commission did not sign the PBN.

PBN IS COMPLETE:

PBN#1, Dredge and fill approximately 75 square feet of intermittent stream (including 15 linear feet of stream impact) for the installation of a 36-inch by 15 foot culvert to access a single family residential lot of approximately 30 acres.

**2004-01710                      JOHNSON, ERIC**  
**LANCASTER   Unnamed Stream**

Requested Action:

PBN#1, Dredge and fill approximately 600 square feet of emergent wetland for the installation of an 18-inch by 30-foot culvert to access a single family residential lot.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Lancaster Conservation Commission signed the PBN form.

PBN IS COMPLETE:

PBN#1, Dredge and fill approximately 600 square feet of emergent wetland for the installation of an 18-inch by 30-foot culvert to access a single family residential lot.

**2004-01745                      BOBOS AT THE LAKE LLC**  
**WOLFEBORO   Lake Winnepesaukee**

Requested Action:

PBN#9, Installation of two (2) seasonal boatlifts on Lake Winnepesaukee with approximately 359 feet of shoreline frontage.

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Conservation Commission/Staff Comments:

The Wolfeboro Conservation Commission signed the PBN form.

PBN IS COMPLETE:

PBN#9, Installation of two (2) seasonal boatlifts on Lake Winnepesaukee with approximately 359 feet of shoreline frontage.

**2004-01748                      SLATER, MARION**  
**ALTON   Lake Winnepesaukee**

Requested Action:

PBN#11, Replace six (6) pilings under existing dock in kind on Lake Winnepesaukee with approximately 100 feet of shoreline frontage.

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Conservation Commission/Staff Comments:

The Alton Conservation Commission signed the PBN form.

PBN IS COMPLETE:

PBN#11, Replace six (6) pilings under existing dock in kind on Lake Winnepesaukee with approximately 100 feet of shoreline frontage.

**2004-01761                      CAVANAUGH, KELLY & DOUGLAS GLENNON**  
**BARRINGTON   Unnamed Wetland**

Requested Action:

PBN#2, Temporarily impact 260 square feet of forested wetland for the installation of a residential utility line.

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Conservation Commission/Staff Comments:

The Barrington Conservation Commission signed the PBN form.

PBN IS COMPLETE:

PBN#2, Temporarily impact 260 square feet of forested wetland for the installation of a residential utility line.

**2004-01763                      LAKESHORE BEACH ASSOCIATION, WILLIAM BODWELL**  
**MEREDITH   Lake Winnepesaukee**

Requested Action:

PBN#11, Replace two (2) ice clusters in kind on Lake Winnepesaukee with approximately 240 feet of shoreline frontage.

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Conservation Commission/Staff Comments:

The Meredith Conservation Commission signed the PBN form.

PBN IS COMPLETE:

PBN#11, Replace two (2) ice clusters in kind on Lake Winnepesaukee with approximately 240 feet of shoreline frontage.